The Comanches

177 "All right," the warrior answered him, "you asked me. I'll speak
x 648 right out. This other fellow is the better man. I was in a battle where
657 I saw him get off his horse and help a dismounted comrade out of
695 the midst of the enemy. He is a brave man and did a great deed. You had better look out or he will whip you or kill you!"

I took this report back to Quanah. It was then up to this fellow to come out with a true account of a braver deed or else give up the land and abide by the decision.

He could not do this, so Quanah and the two warriors decided for the complainer. That man had to give up the land and keep quiet. » » »

This is hardly the way a white court would have decided the validity of a land claim in dispute. And we have strong doubts as to its being the way that it would have been settled by Comanche peace chiefs, if they had been called upon to adjudicate by the Anglo-Americans. But it was sound Comanche reasoning from a war leader's point of view, and in terms of the Comanches' premises it was just.

177 In 1886, provision was made for the establishment of the Court
x 648 of Indian Offenses with power to try minor cases. The court as con-
657 stituted that year was composed of three judges who were selected
● 692 by the Indians with the assistance and approval of the agent. The presiding judge was paid thirty dollars a month; the other two, twenty-five dollars each. The agent certified Quanah Parker of the Comanches as presiding judge, Lone Wolf of the Kiowas and Jim Tehuacana of the Wichitas as the first members of the newly created court. The court was to have jurisdiction over both the Kiowa-Comanche-Apache and the Wichita-Caddo reservations. It was to meet twice a month.

The plan worked well. The judges fully appreciated the dignity of their positions, and the Indians were more willing to submit difficulties or complaints to their own court presided over by their own chiefs. The presence of two of the three judges from other tribes was intended to assure impartial hearings and sentences. The court assessed fines or jail sentences which sometimes were more severe than the white man's law assigned for like offenses, and a few times

3:Wallace & Hoebel E-4, 5 (1933, 1945) 1952
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the agent asked the court to reduce the sentence. Cases of murder were subject to trial in the federal courts in Texas under the Act of 1887. Offenses handled by the court included the holding of Sun Dances, Scalp Dances, polygamy, medicine making, timber selling, disturbances, fighting, stealing, and selling girls. The constitutional jurisdiction of the court in the first four of these "offenses" is highly doubtful, but nobody bothered to challenge the issue in those days. The dance penalty was loss of rations for ten days for the first offense, and fifteen to thirty days for the second. The court functioned until the opening of the reservation to settlement, when it was officially abolished on July 1, 1901.[28]

After the Comanches and their Kiowa allies had been subdued and placed on the reservation, the buffalo disappeared so rapidly that the Indians could not comprehend what had happened. Without them there was no hope for their old way of life. With longing, many told themselves that the buffalo had gone into hiding and could be brought back by proper power. In 1881, a Kiowa medicine man claimed to have gained the power to make the buffalo return, but his medicine failed him.[29]

While still hoping for a miracle before the inroads of white civilization should sweep the last vestiges of the old way of life from them, there came in 1890 whispers—good tidings from the north. It was the promise of the Ghost Dance prophet. The Comanches first heard the story from the Cheyennes. High Wolf, a chief of the Sioux, and Sitting Bull of the Arapahos came to teach the new message to the Kiowas and the Comanches. These people were told by the visiting teachers that the Great Spirit had taken pity on his children. Wovoka of the Paiutes, alias Jack Wilson, had had a vision. When the sun was darkened in the daytime, his spirit went away from his body, ascended to Heaven, and learned the word of the Great Spirit. It returned with a message to Wovoka. Jesus had once come to the white people and they had killed him. He was now coming to the Indians on top of a new earth which would cover the old earth. He

[28] Supt. J. A. Buntin, *Annual Report: Narrative Section*, 1930, I, 4 (MS collection, Kiowa-Comanche Agency, Anadarko, Oklahoma); Agent G. D. Day, *Annual Report*, 1893 (Oklahoma Historical Society Library, correspondence files).

[29] A truly beautiful narrative of this event may be found in Marriott, *op. cit.*, 142–54.

657 The early reservation days were largely times of turmoil and discontent. Rations were often scant and inferior, schools and hospital facilities were inadequate, and epi-
657 demics were rife. Cattle-men from Texas
648 grazed their stock on reservation lands without payment or permission, and altercations between the Indians and U. S. troops were
657 frequent. In 1879 the agent, Hunt, instructed that each family should be located on a piece of land on which they were to remain, and no Indian was allowed to leave the reservation without military escort—an in-
648 junction that was often disobeyed. Long before the Territory was opened to the flood of White settlers in 1901 the influx of prospectors, squatters, farmers, missionaries, traders, gamblers, liquor peddlers, adventurers, and squaw-men had begun.

657 Sheep were issued in 1877 and 1878, but
231 there was no sale for the wool and, the Indians were said to have disliked them so much that the idea had to be given up.
241 Farming was begun in 1879, but the Indians'
492 teams were too weak to break the heavy
464 sod and the plowing had to be done by Whites who continued to be hired as farm-
361 ers. The first houses were built in 1877 and ten years later a number of churches were
136 erected. By 1880 the buffalo were gone and cattle had replaced them on the ranges.
431 "Grass money", paid by Texas cattle-men for grazing privileges, was instituted in 1885 and provided the chief source of
625 tribal income. The Indian police were or-
692 ganised in 1877 and in 1886 an Indian court was established and functioned until 1900.
657 Earlier, in 1872, the first of a series of joint delegations of reservation Indians went to Washington.

648 The ratification in 1900 of the "Jerome
657 Agreement" between the United States
178 government and the Apache, Kiowa, and Comanche Indians marked the end of reservation life and ushered in the modern
648 period. Under its articles the Indians ceded
423 their claims to the land formerly known as Indian Territory except one tract called "the Big Pasture", and each man, woman,

21: Burnet 1-5 (1818-1819) 1954 NO6 Comanche 06
Texas

[ca. 1818]

175 628 tion of country which custom seems to have appropriated to its more special use and occupancy.

621 622 175 These three great national parties, are subdivided into captaincies or villages, to each of which is appointed a chief, whose distinction seems to consist rather in name than authority. His name however, gives title to the flying village, and is useful in this respect, as some sign of discrimination is necessary, and they can derive none from locality. These subdivisions are various and contingent, each member being at liberty to withdraw from one village and unite with another, as caprice or convenience may dictate.

621 175

175 221 [231] As the Comanchees do not cultivate the ground, but derive their subsistence from the spontaneous productions of nature, and chiefly from the animal kingdom, they are necessarily migratory, and obliged to change their encampment every ten or fifteen days. The scarcity of game, which is soon taught to avoid their dangerous neighborhood, and the speedy exhaustion of convenient pasturage, which is indispensable to the subsistence of their large herds of mules and horses, are the principal reasons for such frequent removals. When about to abandon a position, they generally fire the grass, to give intelligence of their decampment to absentees;—smoke is likewise employed as a telegraph to announce the return of a war party. It is not uncommon to see, at the same time, 8 or 10 of these signals darkening the horizon, and rearing their columns in gloomy grandeur, to the vertex of a serene and brilliant atmosphere.

175 202

175 643 The three parties collectively acknowledge one head or grand Chief, who is selected from either party. His appointment is indefinite as to duration and extent of authority, the latter depending more on the force of his personal character, than on the investments of office. Indeed a positive official authority, is not recognized in their crude system of government. They have but few traditionary laws, and these, they are not always capable of enforcing. Compulsion is seldom exercised on a refractory culprit; and when imperious circumstances require it to be done, it is effected by a convention of chiefs, whose personal influences become auxiliary to an otherwise impotent authority.

175 [642] [671] [692]